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**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**CARLOS FLORES, HERMELINDO TENDILLA,
RAFAEL ALDAPE, and FRANCISCO DELAROSA-
ATLATENCO, on behalf of themselves and all others
similarly situated,**

Plaintiffs,

-against-

**ONE HANOVER, LLC, PETER POULAKAKOS and
HARRY POULAKAKOS,**

Defendants.

13 Civ. 5184 (AJP)

**NOTICE OF MOTION FOR PLAINTIFFS' MOTION FOR FINAL APPROVAL
OF CLASS ACTION SETTLEMENT**

For the reasons set forth in the Memorandum of Law in Support of Plaintiffs' Motion for Final Approval of Class Action Settlement ("Motion for Final Approval"), in the Declaration of Brian S. Schaffer in Support of Plaintiffs' Motion for Final Approval (the "Schaffer Declaration") and the supporting exhibits attached thereto, Plaintiffs respectfully request that the Court enter an Order:

- (1) granting final approval of the Settlement Agreement and Release ("Settlement Agreement"), attached as **Exhibit A** to the Schaffer Declaration;
- (2) certifying the following settlement class under Federal Rule of Civil Procedure 23(a) and (b)(3) for purposes of effectuating the settlement:

All Tipped Workers who work or have worked at Harry's between July 25, 2007 and December 31, 2013 as defined in the Settlement Agreement.

- (3) issuing final approval of the FLSA settlement;
- (4) approving Service Awards to the named Plaintiffs, as outlined in the Settlement Agreement;
- (5) awarding Class Counsel's attorneys' fees and costs, as outlined in the Settlement Agreement;
- (6) approving Plaintiffs' proposed final settlement procedure; and
- (7) granting such other, further, or different relief as the Court deems just and proper.

* * *

Plaintiffs have contemporaneously submitted a Proposed Order, attached as **Exhibit D** to the Schaffer Declaration, for the Court's convenience.

Dated: New York, New York
May 27, 2014

Respectfully submitted,

/s/ Brian S. Schaffer

Brian S. Schaffer

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*Attorneys for Plaintiffs and
the Class and Collective*